

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ALAN L. SHATTUCK, II,

Plaintiff,

vs.

Civil Action No.  
3:12-CV-543 (GTS/DEP)

ALLSTATE INSURANCE COMPANY, et al.,

Defendants.

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APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

Levene, Gouldin Law Firm  
P.O. Box F - 1706  
Binghamton, New York 13902-0106

JOHN L. PERTICONE, ESQ.

FOR DEFENDANT ALLSTATE  
INSURANCE COMPANY:

Iseman, Cunningham Law Firm  
9 Thurlow Terrace  
Albany, New York 12203

JAMES P. LAGIOS, ESQ.

Nielsen, Carter Law Firm  
3838 N. Causeway Boulevard  
Suite 2850  
Metairie, Louisiana 70002

JASON M. VERDIGETS, ESQ.

FOR DEFENDANT CHASE  
HOME FINANCE, LLC:

Phillips, Lythe Law Firm  
1400 First Federal Plaza  
Rochester, New York 14614

RICHARD T. TUCKER, ESQ.

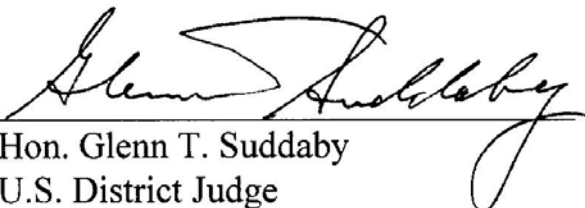
Glenn T. Suddaby, U.S. District Judge

## **JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT**

The Court having been advised by counsel that the parties in this action have entered into an agreement in settlement of all claims in this action, and that they reasonably anticipate finalizing their agreement shortly, following which this action will be discontinued, with prejudice, by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Counsel has also advised that no infant or incompetent is a party to this action. Based upon this development, I find that it is not necessary for this action to remain on the calendar of the Court. It is therefore hereby

**ORDERED** that this action is **DISMISSED** in its entirety **without prejudice** pursuant to the procedure as set forth in L.R. 68.2(a) of the Local Rules of this court. This judgment is issued without prejudice to the right of the parties to secure reinstatement of the case within thirty (30) days after the date of this judgment by making a showing that the settlement was not, in fact, consummated; and in the event that no request is made for reinstatement within thirty (30) days of the date of this judgment, the dismissal of this case shall thereafter be **with prejudice**.

Dated: March 1, 2013  
Syracuse, New York

  
Hon. Glenn T. Suddaby  
U.S. District Judge